

Exhibit 1

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF RICHMOND

HELEN MARIE TAYLOR,
JOHN DOE,
JOSEPH DOE,
SALLY DOE,
CHARLES DOE,
THOMAS DOE,

Plaintiffs,

v.

Case No. 20-2489-7

RALPH S. NORTHAM,

in his official capacity as Governor of Virginia,
Serve at the Patrick Henry Building,
1111 East Broad Street, Richmond, Va. 23218

VIRGINIA SECRETARY OF ADMINISTRATION,

in her official capacity,
Serve Keyanna Conner
Patrick Henry Building,
1111 East Broad Street, Richmond, Va. 223218

DIRECTOR, VIRGINIA DEPARTMENT OF GENERAL SERVICES,

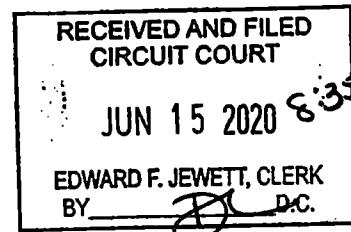
in his official capacity,
Serve Joe Damico, 1100 Bank Street, Suite 420
Richmond, Va. 23218

and

DIRECTOR OF VIRGINIA DIVISION OF ENGINEERING & BUILDINGS,

in his official capacity,
Serve W. Michael Coppa, 1100 Bank St., Suite 420
Richmond, Va. 23218,

Defendants.



COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

Plaintiffs, by counsel, state the following as their complaint for declaratory and injunctive relief against Defendants:

1. This is a proceeding pursuant to the Declaratory Judgment Act, Va. Code §§8.01-184 *et seq.*, and Va. Code § 8.01-620 to obtain injunctive relief and a judicial declaration that the activities of Defendants in attempting to remove, destroy, damage or alter the statue of Robert E. Lee, which has been designated as a National Historic Landmark and which the General Assembly has guaranteed that the Commonwealth will hold “perpetually sacred to the monumental purpose to which they [*i.e.*, the statue, pedestal and ground on which they are situated] have been devoted,” violate Defendants’ duties under the Constitution of Virginia, applicable laws of the Commonwealth, and the conditions of the gift by which the Commonwealth obtained the statue, the pedestal upon which it rests, and the circle of ground in which the statue and pedestal are situated.

2. This Court has jurisdiction over the matter in controversy pursuant to Va. Code § 17.1-513.

3. Venue in this Court is proper, pursuant to Va. Code § 8.01-261 because the property involved is located in the City of Richmond, where each

Defendant has an official office and regularly conducts official duties, and where each Plaintiff resides.

4. Plaintiffs are owners of property on Monument Avenue in the City of Richmond within a 14-block National Historic Landmark District, which is known as the Monument Avenue Historic District and includes the Lee monument.

5. Defendant Ralph Northam is the Governor of Virginia and is charged under the Constitution of Virginia with the duty to assure that the laws of the Commonwealth and the United States are properly enforced. He has also been charged with the duty, pursuant to Acts of Assembly 1889 chapter 24, to assure that the guarantee of the Commonwealth to hold perpetually sacred for the purpose to which they have been devoted the statue, pedestal and ground on which they rest is honored and secured.

6. The remaining Defendants are appointees of the Governor, acting at the direction of the Governor, who have derivative responsibilities under the law to assure that the Lee statue is preserved and protected in accordance with the terms and conditions of the gift to the Commonwealth, the provisions of Acts of Assembly 1889 chapter 24, and the laws of the Commonwealth. A copy of that 1889 action of the General Assembly is attached as Exhibit A. A copy of the deed conveying the Lee statue to the Commonwealth is attached hereto as Exhibit B.

7. A portion of Monument Avenue in the City of Richmond in which Plaintiffs own property and in which the Lee statue is located has been officially designated under the laws of the United States as a National Historic Landmark District. Plaintiffs enjoy certain defined legal tax benefits as a consequence of their ownership of real estate within that district, which will be adversely affected by any actions of Defendants to remove, damage or alter the Lee statue. 26 USC § 170(h)(4); 26 CFR § 1.48-12; Va. Code § 58.1-339.2.

8. Attempts by Defendants to remove the Lee statue would damage, destroy or significantly alter the statue in violation of the terms of the deed conveying the statue, the 1889 legislative provision, and the laws of the Commonwealth.

9. The stated intentions of Defendants to remove the Lee statue are in conflict with the provisions of the laws of the United States and regulations promulgated by the United States Department of the Interior regarding National Historic Landmarks. 36 CFR §§ 60.14, 60.2, 65.2 and 65.9.

10. Removal of the Lee statue or any significant alteration of it or any of the other monuments within the Monument Avenue Historic District will result in the loss of National Historic Landmark designation of the district, which will have a substantial adverse impact on Plaintiffs, including the loss of favorable tax treatment and reduction in property values. Plaintiffs will also suffer injury as a

result of the loss of a priceless work of art from their neighborhood and the degradation of the internationally recognized avenue on which they reside.

11. The provisions of the 1889 legislation authorizing the Governor of Virginia to accept the gift of the Lee statue, the pedestal and associated land are binding on Defendants.

12. Any actions by Defendants that are not in compliance with the provisions of the 1889 legislation violate the Constitution of Virginia and are *ultra vires* as being beyond lawful executive power.

13. During the last days of May 2020 and the first several days of June 2020, vandals, rioters and other lawbreakers have repeatedly desecrated, damaged and altered the Lee monument and other monuments within the Monument Avenue Historic District while Defendants failed to enforce existing Virginia statutes prohibiting such conduct. This hostile and unlawful actions, which have occurred in large part because of Defendants' failure to carry out their official responsibilities, is being asserted as a reason for removing the Lee statue.

WHEREFORE, Plaintiffs pray for an order and judgment declaring that the actions of Defendants to remove the statue of Robert E. Lee from the ground within the National Historic Landmark District violate the Constitution of Virginia, the legislative provision adopted by the General Assembly on December 19, 1889, the provisions of United States laws and regulations governing the use of property

within a National Historic Landmark District, provisions of the laws of the Commonwealth, and the provisions of the gift of the statue, pedestal and ground on which they rest; for preliminary and permanent injunctive relief prohibiting Defendants from carrying out the activities associated with the removal of the Lee statue; and for such other relief as the Court deems proper in the circumstances.

HELEN MARIE TAYLOR

JOHN DOE

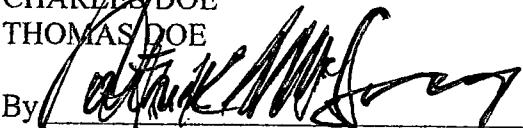
JOSEPH DOE

SALLY DOE

CHARLES DOE

THOMAS DOE

By


Patrick M. McSweeney (VSB No. 5669)

3358 John Tree Hill Road

Powhatan, Va. 23139

PH (804) 937-0895

FAX (703) 365-9395

pmcsweeney.esq@gmail.com

Attorney for Plaintiffs

Fred D. Taylor (VSB No. 77987)

Bush & Taylor, P.C.

4445 Corporation Lane

Virginia Beach, Virginia 23462

PH (757) 926-0078

FAX (757) 935-5533

fred@bushtaylor.com

Of Counsel

VERIFICATION

Helen Marie Taylor
Helen Marie Taylor

COMMONWEALTH OF VIRGINIA
CITY OF RICHMOND, to wit:

This day personally appeared before me Helen Marie Taylor, and who, under penalty of perjury, made oath that the allegations set forth in the foregoing complaint are, according to the best of her knowledge, information and belief, true and correct.

Subscribed and sworn to before me this 12th day of June, 2020.



Notary Public

Registration number: 7577682

My commission expires 11/30/21.

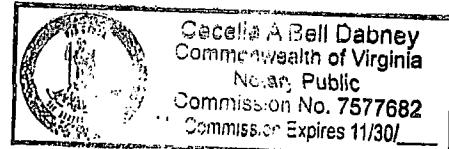


EXHIBIT A

CHAP. 24.—JOINT RESOLUTION authorizing the governor, on behalf of the state, to accept the gift of the Lee monument.

Approved December 19, 1889.

Resolved by the senate (the house of delegates concurring), Whereas it has been brought to the notice of the general assembly that the Lee monument association proposes, as the most graceful and appropriate disposition of the equestrian statue of General Robert E. Lee, about being completed in the city of Paris, and of the monu-

ACTS OF ASSEMBLY.

ment of which it is to form a part, to present the same to the commonwealth; and whereas this patriotic purpose is highly appreciated and approved by the general assembly:

1. Be it therefore resolved by the general assembly of Virginia, That the governor be, and he is hereby authorized and requested, in the name and in behalf of the commonwealth, to accept, at the hands of the Lee monument association, the gift of the monument or equestrian statue of General Robert E. Lee, including the pedestal and circle of ground upon which said statue is to be erected, and to execute any appropriate conveyance of the same, in token of such acceptance, and of the guarantee of the state that it will hold said statue and pedestal and ground perpetually sacred to the monumental purpose to which they have been devoted.

EXHIBIT B

367 Lee Monument Assn To } Deed State of Virginia

Whereas the Lee Monument Association has finished the work for which it was organized and whereas it is deemed by all the parties to this instrument to be the most graceful and appropriate supplement to that work the Equestrian Statue of General Robert E Lee about being completed for said association in the City of Paris and the monument of which it is to form a part should be presented to the Commonwealth and whereas the General Assembly of Virginia highly appreciating and approving this patriotic purpose has by special statute approved the 19th day of December 1889 accepted the gift and authorized and requested the Governor in the name and on behalf of the Commonwealth to execute any appropriate conveyance of the same in token of such acceptance and of the guarantee of the State herein [belong?] set out

Now therefore this deed made this the 17th day of March 1890 between the Lee Monument Association party of the first part and Otway S. Allen and Mary McDonald Allen his wife, Roger Gregory and Bettie F. Gregory his wife who was Bettie F. Allen and N.M. Wilson and Martha A. Wilson his wife who was Martha Allen, parties of the second part and the State of Virginia a party of the third part

Witness[to?] That the parties of the first part in consideration of the promises by and with the approval and consent of the parties of the second part who were the original grantors of the Monument Site, signify by their Execution of this Instrument, do grant[,] transfer and convey unto the party of the third part with Special Warranty the following property to wit: That picce or parcel of land lying and being in the County of Henrico just beyond the present western confines of the City of Richmond contained within a circle whose radius is (100) One Hundred feet whose centre is the middle point of the intersection of Monument Avenue and Allen Avenue and whose location and description are more fully and clearly shown upon a plat of The Wm C Allen Addition recorded on the 27th day of April 1889 in plat Book No. 6, page 63 in the Clerks Office of the County Court of Henrico County to which plat reference is hereby [special?]

368

made the property herein above conveyed, which is the Monument Site being indicated on said plat by the figure and the word "Circle."

Also the pedestal erected and about being completed upon said site and the Equestrian Statue of General Robert E Lee being executed by M. Mercie in the City of Paris and now completed which statue is to be placed upon said pedestal the whole constituting the Monument to General Robert E. Lee, for the erection of which the said Lee Monument Association was organized.

The State of Virginia, party of the third part acting by and through the Governor of the Commonwealth and pursuant to the terms and provisions of the Special Statute herein before mentioned executes this instrument in token of her acceptance of the gift and of her guarantee that she will hold said Statue and pedestal and Circle of ground perpetually sacred to the Monumental purpose to which they have been devoted and that she will faithfully guard it and affectionately protect it.

Witness the following Signatures and Seals P.W. McKinney, President L.M. Assn {Seal} N.M. Wilson {Seal} Martha Allen Wilson {Seal} Roger Gregory {Seal} Bettie F. Gregory {Seal} Otway S. Allen {Seal} Mary McDonald Allen {Seal} P.W. McKinney, Governor {Seal}

Virginia, City of Richmond} To wit: I C. Lee Moore, a Notary Public in the State and for the City aforesaid to certify that P.W. McKinney, President of the Lee Monument Association, whose name as president is signed to the above writing bearing date the 17th day of March 1890 personally appeared before me in my city aforesaid and acknowledged the same to be the act and deed of the said Association and that he executed the same and affixed thereto the common seal of said Association testimony whereof by virtue of his authority

369

as president and also by the Special Authorization and direction of the Board of Managers of the said Association. Given under my hand this 17th day of March 1890. C. Lee Moore, Notary Public

Virginia, King William County} To wit: I O.M. Winston, a Justice of the peace for the County of King William in the State of Virginia, do certify that Roger Gregory and Bettie F. Gregory his wife whose names are signed to the writing hereto annexed bearing date on the 17th day of March 1890 appeared before me at their residence Elsing Green in the said County of King William and, acknowledged the same to be their act and deed. Given under my hand this 19th day of March A.D. 1890 O.M. Winston, J.P>

City of Richmond, State of Virginia} To wit: I M.L. Spotswood a Notary Public for the City aforesaid in the said State do hereby certify that Otway S. Allen and Mary McDonald Allen his wife whose names are signed to the writing hereto annexed bearing date March 17th 1890 have acknowledged the same before me in my City aforesaid. Given under my hand this 21st day of March 1890 M.L. Spotswood, N.P.

State of Virginia, City of Richmond} To wit: I W.S. [Dash...?], a Notary Public for the City aforesaid in the state of Virginia do certify that N.M. Wilson and Martha Allen Wilson his wife whose names are signed to the [within?] writing dated 17th day of March 1890 have acknowledged the same before me in my City aforesaid. Given under my hand this 20th day of March 1890 W.S. [Dash...?]

370 State of Virginia, City of Richmond} To wit: I C. Lee Moore a Notary Public in the State
and for the City aforesaid do certify that P.W. McKinney Governor of Virginia whose name as
Governor is signed to the above writing bearing date the 17th day of March 1890 personally
appeared before me in my City aforesaid and acknowledged the same to be the act and deed of
the Governor of Virginia. Given under my hand this 27th day of March 1890. C. Lee Moore,
Notary Public.

**COVER SHEET FOR FILING CIVIL ACTIONS
COMMONWEALTH OF VIRGINIA**
Case No.
(CLERK'S OFFICE USE ONLY)

City of Richmond Circuit Court

Helen Marie Taylor et al.

PLAINTIFF(S)

v./In re:

Ralph S. Norman et al.

DEFENDANT(S)

I, the undersigned [] plaintiff [] defendant [X] attorney for [X] plaintiff [] defendant hereby notify the Clerk of Court that I am filing the following civil action. (Please indicate by checking box that most closely identifies the claim being asserted or relief sought.)

GENERAL CIVIL**Subsequent Actions**

- [] Claim Impleading Third Party Defendant
- [] Monetary Damages
- [] No Monetary Damages
- [] Counterclaim
- [] Monetary Damages
- [] No Monetary Damages
- [] Cross Claim
- [] Interpleader
- [] Reinstatement (other than divorce or driving privileges)
- [] Removal of Case to Federal Court

Business & Contract

- [] Attachment
- [] Confessed Judgment
- [] Contract Action
- [] Contract Specific Performance
- [] Detinue
- [] Garnishment

Property

- [] Annexation
- [] Condemnation
- [] Ejectment
- [] Encumber/Sell Real Estate
- [] Enforce Vendor's Lien
- [] Escheatment
- [] Establish Boundaries
- [] Landlord/Tenant
- [] Unlawful Detainer
- [] Mechanics Lien
- [] Partition
- [] Quiet Title
- [] Termination of Mineral Rights

Tort

- [] Asbestos Litigation
- [] Compromise Settlement
- [] Intentional Tort
- [] Medical Malpractice
- [] Motor Vehicle Tort
- [] Product Liability
- [] Wrongful Death
- [] Other General Tort Liability

[] Damages in the amount of \$

are claimed.

06/14/2020

DATE

Patrick M. McSweeney

PRINT NAME

3358 John Tree Hill Road, Powhatan, Va. 23139

ADDRESS/TELEPHONE NUMBER OF SIGNATOR

(804) 937-0895

pmcsweeney.esq@gmail.com

EMAIL ADDRESS OF SIGNATOR (OPTIONAL)

ADMINISTRATIVE LAW

- [] Appeal/Judicial Review of Decision of (select one)
 - [] ABC Board
 - [] Board of Zoning
 - [] Compensation Board
 - [] DMV License Suspension
 - [] Employee Grievance Decision
 - [] Employment Commission
 - [] Local Government
 - [] Marine Resources Commission
 - [] School Board
 - [] Voter Registration
 - [] Other Administrative Appeal

DOMESTIC/FAMILY

- [] Adoption
 - [] Adoption – Foreign
- [] Adult Protection
- [] Annulment
 - [] Annulment – Counterclaim/Responsive Pleading
- [] Child Abuse and Neglect – Unfounded Complaint
- [] Civil Contempt
- [] Divorce (select one)
 - [] Complaint – Contested*
 - [] Complaint – Uncontested*
 - [] Counterclaim/Responsive Pleading
 - [] Reinstatement – Custody/Visitation/Support/Equitable Distribution
- [] Separate Maintenance
 - [] Separate Maintenance Counterclaim

WRITS

- [] Certiorari
- [] Habeas Corpus
- [] Mandamus
- [] Prohibition
- [] Quo Warranto

RECEIVED AND FILED
CIRCUIT COURT

8:35 JUN 15 2020

EDWARD F. JEWETT, CLERK
BY *[Signature]* D.C.

I PLAINTIFF

I DEFENDANT

ATTORNEY FOR

PLAINTIFF

DEFENDANT

*“Contested” divorce means any of the following matters are in dispute: grounds of divorce, spousal support and maintenance, child custody and/or visitation, child support, property distribution or debt allocation. An “Uncontested” divorce is filed on no fault grounds and none of the above issues are in dispute.

**Civil Action Type Codes
(Clerk's Office Use Only)**

Accounting	ACCT
Adoption	ADOP
Adoption – Foreign	FORA
Adult Protection	PROT
Aid and Guidance	AID
Amend Death Certificate	ADC
Annexation	ANEX
Annulment	ANUL
Annulment – Counterclaim/Responsive Pleading ..	ACRP
Appeal/Judicial Review	
ABC Board	ABC
Board of Zoning	ZONE
Compensation Board	ACOM
DMV License Suspension	JR
Employment Commission	EMP
Employment Grievance Decision	GRV
Local Government	GOVT
Marine Resources	MAR
School Board	JR
Voter Registration	AVOT
Other Administrative Appeal	AAPL
Appointment	
Conservator of Peace	COP
Church Trustee	AOCT
Custodian/Successor Custodian (UTMA)	UTMA
Guardian/Conservator	APPT
Marriage Celebrant	ROMC
Standby Guardian/Conservator	STND
Approval of Transfer of Structured Settlement	SS
Asbestos Litigation	AL
Attachment	ATT
Bond Forfeiture Appeal	BFA
Child Abuse and Neglect – Unfounded Complaint ..	CAN
Civil Contempt	CCON
Claim Impleading Third Party Defendant –	
Monetary Damages/No Monetary Damages	CTP
Complaint – (Miscellaneous)	COM
Compromise Settlement	COMP
Condemnation	COND
Confessed Judgment	CJ
Contract Action	CNTR
Contract Specific Performance	PERF
Counterclaim – Monetary Damages/No Monetary	
Damages	CC
Cross Claim	CROS
Declaratory Judgment	DECL
Declare Death	DDTH
Detinue	DET
Divorce	
Complaint – Contested/Uncontested	DIV
Counterclaim/Responsive Pleading	DCRP
Reinstatement – Custody/Visitation/Support/	
Equitable Distribution	CVS
Driving Privileges	
Reinstatement pursuant to § 46.2-427	DRIV
Restoration – Habitual Offender or	
3 rd Offense	REST

Ejectment	EJET
Encumber/Sell Real Estate	RE
Enforce Vendor's Lien	VEND
Escheatment	ESC
Establish Boundaries	ESTB
Expungement	XPUN
Forfeiture of Property or Money	FORF
Freedom of Information	FOI
Garnishment	GARN
Injunction	INJ
Intentional Tort	ITOR
Interdiction	INTD
Interpleader	INTP
Interrogatory	INTR
Judgment Lien – Bill to Enforce	LIEN
Landlord/Tenant	LT
Law Enforcement/Public Official Petition	LEP
Mechanics Lien	MECH
Medical Malpractice	MED
Motor Vehicle Tort	MV
Name Change	NC
Other General Tort Liability	GTOR
Partition	PART
Permit, Unconstitutional Grant/Denial by Locality	LUC
Petition – (Miscellaneous)	PET
Product Liability	PROD
Quiet Title	QT
Referendum Elections	ELEC
Reinstatement (Other than divorce or driving	
privileges)	REIN
Removal of Case to Federal Court	REM
Restore Firearms Rights – Felony	RFRF
Restore Firearms Rights – Review	RFRR
Separate Maintenance	SEP
Separate Maintenance – Counterclaim/Responsive	
Pleading	SCRP
Sever Order	SEVR
Sex Change	COS
Taxes	
Correct Erroneous State/Local	CTAX
Delinquent	DTAX
Termination of Mineral Rights	MIN
Trust – Impress/Declare/Create	TRST
Trust – Reformation	REFT
Uniform Foreign Country Money Judgments	RFCJ
Unlawful Detainer	UD
Vehicle Confiscation	VEH
Voting Rights – Restoration	VOTE
Will Construction	CNST
Will Contested	WILL
Wrts	
Certiorari	WC
Habeas Corpus	WHC
Mandamus	WM
Prohibition	WP
Quo Warranto	WQW
Wrongful Death	WD

**Patrick M. McSweeney
Attorney at Law
3358 John Tree Hill Road
Powhatan, Virginia 23139
(804) 937-0895**

June 15, 2020

By hand

The Honorable Edward F. Jewett
Clerk
Circuit Court for the City of Richmond
400 North Ninth Street
John Marshall Courts Building
Richmond, Virginia 23139

20-2489-7

Dear Mr. Jewett:

Re: Helen Marie Taylor v. Ralph S. Northam

I have enclosed for filing (1) a civil cover sheet, (2) complaint with two exhibits, (3) a motion to participate anonymously, (4) a sketch order to accompany that motion, (5) a motion to consolidate, (6) a sketch order to accompany that motion, (7) a notice of hearing on June 18, 2020, before Judge Cavedo, and (8) a check covering filing fees.

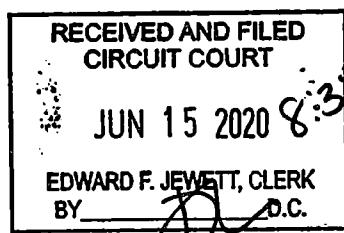
Because plaintiffs are moving to consolidate this action with the pending action in *Gregory v. Northam*, Case No. 20-2441-5, I would appreciate your submitting the motion to consolidate to Judge Cavedo, who has already issued a Temporary Injunction Order in *Gregory* and has set a hearing for 10:00 a.m. of Thursday, June 18, 2020, in that case at which we have requested his consideration of the motions I am filing today and for argument by counsel regarding those motions.

Plaintiffs will serve each of the defendants by private process server.

I appreciate your assistance.

Sincerely yours,

Patrick M. McSweeney



Enclosures